

CITY OF CASTLE HILLS  
ZONING COMMISSION PUBLIC HEARING  
DECEMBER 4, 2007

The Zoning Commission of the City of Castle Hills convened on the 4<sup>th</sup> day of December, 2007, at 7:00 P.M. in the City of Castle Hills City Hall, 209 Lemonwood Drive, San Antonio, Texas.

Guests present were Rosemary Lewis, Matthew Stroud, Bill Martin, Tom Davis, Shirley Poteet, William T. Johnson, Douglas Gregory, and Judith Boeckner.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Present and composing a quorum of the Zoning Commission were Chairman Marc Schnall, Tim Turner, Douglas Lewis, Brad Boeckner, and Walter Beuhler. Not present was LaVerne Japhet.

Staff present included City Manager Mike Rietz, Assistant City Manager Rita Hoyl, and City Secretary Linda Gill.

II. CONSIDER AND ACT UPON THE MINUTES OF THE SEPTEMBER 4, 2007, MEETING.

Mr. Turner moved to approve the minutes of the September 4, 2007, meeting. Mr. Lewis seconded the motion. The motion carried with a unanimous vote.

III. PUBLIC HEARING AND DISCUSSION OF THE REQUEST FOR A SPECIAL USE PERMIT, AS DEFINED IN SECTION 31.1702, (6) TO ALLOW MORE THAN FIVE (5) NON-RELATED INDIVIDUALS TO LIVE TOGETHER IN A DWELLING AT 143 HONEYSUCKLE LANE IN THE "A" SINGLE FAMILY DWELLING DISTRICT.

Chairman Schnall opened the Public Hearing and asked the applicant or his representative to come forward and present the application. No one came forward.

City Manager Mike Rietz explained that the applicant intends to use the dwelling as a rectory, which is allowed in the "A" Single Family District with a Special Use Permit. He cited the applicable City Code provisions and suggested questions that should be presented to the applicant.

The Chairman then asked if anyone present wished to address the commission.

Douglas Gregory of 212 Briarcliff Drive commented that approving the permit would not be positive for the neighborhood, and the traffic would increase enormously. He recommended rejection of the permit. Mr. Gregory said he spoke as a member of City Council. He said, at her request, he also spoke for Mayor Harper.

Matt Stroud of 100 Wickford Way said he was not opposed to the applicant or his work, but he strongly opposed the application. He said it would set a precedent for other groups to follow and he suggested that specific conditions be set if the application was approved.

Shirley Poteet of 203 Squires Row said that the property backs up to her house and backyard. She said the noise from a single family was bad enough. She urged the Commission to vote against the request.

Bill Martin of 113 Cobblestone said his primary concern is that granting the Special Use Permit will open the gate for others to point to. He stated that the commission members should not destroy the ambiance of the neighborhood and should vote against the permit.

William Johnson of 203 Honeysuckle said the property is two houses away from his house. He said the people who are in the house now are religious and deaf. They are priests in training who will eventually go out to teach deaf people in the community. He indicated that he has no problem with them living there and that he didn't think the objections were valid.

In answer to questions from Mr. Turner, the city manager said no one was supposed to be living at the property now. Assistant City Manager Rita Hoyl said that, when she issued a Certificate of Occupancy, there were only two people living at the property. She said that the applicant's representative said that they were planning to bring additional occupants after the first of the year. She recalled that they had initially gone to the Board of Adjustment for a variance, but the board referred them to the Zoning Commission.

Chairman Schnall noted that the zoning code allows a rectory in the Single Family District and closed the Public Hearing at 7:30 p.m.

IV. DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS TO CITY COUNCIL REGARDING ISSUANCE OF A SPECIAL USE PERMIT FOR 143 HONEYSUCKLE LANE.

A question arose regarding whether a Special Use Permit is tied to the land or tied to the occupant. After brief discussion, Chairman Schnall said the city attorney would have to be consulted to answer the question.

**Motion:** Mr. Turner made a motion to table the application for a Special Use Permit for 143 Honeysuckle Lane until the January Zoning Commission meeting. Mr. Lewis seconded the motion. The motion carried unanimously.

Since the first Tuesday in January is a holiday, Chairman Schnall announced that the January Zoning Commission meeting would be on Wednesday, January 2, 2008.

V. PUBLIC HEARING AND DISCUSSION OF THE REQUEST TO REZONE 2103, 2141, AND 2161 LOOP 410 FROM "H" SPECIAL DISTRICT TO "G" GENERAL BUSINESS DISTRICT DUE TO THE NATURE OF THE USE OF STRUCTURES ON THE PROPERTY.

Chairman Schnall opened the Public Hearing at 7:38 p.m. and invited property owner W. A. Blackmon to come forward and state the reasons for his request. Mr. Blackmon stated that his property should be zoned General Business District due to the use of the structures on the property as retail space. He said, under the "H" Special District, he has to apply for a Special Use Permit each time he leases to a new tenant, and he has lost potential tenants in the past due to the length of time it takes to get a Special Use Permit.

City Manager Rietz explained that the use of the property is in line with the "G" General Business District since the owner intends to lease it out as retail space. He recommended that the zoning change be granted.

Chairman Schnall asked if anyone present wished to speak concerning the rezoning request. No one responded, and the Chairman closed the Public Hearing at 7:46 p.m.

VI. DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS TO CITY COUNCIL REGARDING THE REZONING OF 2103, 2141, AND 2161 NW LOOP 410.

**Motion:** Mr. Boeckner moved to make a recommendation to City Council to approve the rezoning request. Seconded by Mr. Lewis, the motion passed with a unanimous vote.

Chairman Schnall announced that the Zoning Commission's recommendation would be on the agenda for the next meeting of the City Council which is to be held at 6:00 p.m. on Tuesday, December 11, 2007.

VII. ADJOURNMENT

**Motion:** Mr. Turner made a motion to adjourn the meeting at 7:48 p.m. Mr. Lewis seconded the motion, and it passed unanimously.

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Marc Schnall, Chairman

Attest:

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Linda Gill, City Secretary